

The Trial of Lockert. The trial of Nathaniel Lockert, for the murder of Mrs. Nancy Upperman, a report of which will be found in our paper of yesterday and to-day, and which will be concluded on Monday, was one of the most singular affairs that can be found on the face of judicial history. It was the good fortune of Lockert, to be defended by the best talent at the Baltimore bar; and he was singularly fortunate, in being tried by a jury, that we adventure to say, was as intelligent and as respectable as any jury that ever was empannelled. His counsel availed themselves of the right of challenge, to the full extent allowed by the law. He was also fortunate, in being arraigned before a court that embraces as much talent as any other in the union, and above all was he fortunate, in being prosecuted by a public officer, who, whilst engaged in the discharge of the duty he owes the state, never forgets the attributes of mercy and of justice; and never fails to afford to the accused every benefit and right to which he is entitled. Lockert was also fortunate in obtaining a verdict that saved his neck from the gallows; and, we are happy to say, that that verdict, notwithstanding it was a singular one, has, so far as we have ascertained, given unqualified satisfaction to the public. Although we are of opinion that Lockert did kill Mrs. Upperman, and shall always remain of that opinion, we do not hesitate to say, that if we had been one of the jury, we should have agreed to the verdict that was awarded. And yet we must be allowed to say that that verdict, was clearly and indisputably made up in opposition to the law and evidence that were laid before the jury for their government and guide. If the jury had strictly followed the law and evidence adduced, they could not possibly have escaped one of two things. If they believed that Mrs. Upperman came to her death by blows inflicted by Lockert, they could not have found no other verdict than that of murder in the first degree—if they believed that she did not die of wounds received at the hands of Lockert, then the only verdict they could have legitimately awarded was one of acquittal. It was not possible for them to have found a verdict of murder in the second degree on the basis of the law and evidence that were presented.

We are informed by a very intelligent gentleman who was of the jury, that when they went out there were four in favor of conviction of murder in the first degree—four for the second degree, and four for acquittal. They consulted and considered, and re-considered, and finally agreed on the verdict they awarded. We are glad they did so; the public is satisfied, we fancy, and so ends the matter. Lockert, whether guilty or not guilty, will probably be disposed of in prison for the balance of his life, and of course will be placed in a position that will prevent his perpetrating further mischief. That he has been a very bad man, is a fact fully established by the history of his intercourse with Mrs. Upperman, to say nothing about the murder, and it is probably fortunate for himself and society, that he has obtained a life lease in the State's Prison. Although a very poor man, and unable to employ counsel of himself, he was ably defended, and that too with a zeal and an ability that might have deserved a different result. The alacrity with which Messrs. T. Yates Walsh, Joseph Earnest and Archer Ropes defended him without fee or reward, affords a happy reply to the arguments of those who contend that the poor man rarely obtains the commiseration of the wealthy and enlightened.